

## **REMARKS**

Claims 1-67 were presented for examination and were pending in this application. In the latest Office Action, claims 31-49 were withdrawn from further consideration, and claims 1-30 and 50-67 were rejected.

With this amendment, Applicants would like to remind the Examiner that Applicants' representative Robert Hulse conducted a brief interview on August 22, 2006, with examiner King Y. Poon to discuss the previous restriction requirement. In this interview, it was agreed that all of the claims read on at least Species I and will therefore remain in this application. Applicants also previously submitted a Response to Restriction Requirement on August 22, 2006 reciting the same contentions. Additionally, the claims had been amended to make clear that they are indeed directed to a system in which the media processing is performed at least partially by the printing system and at least partially by the network device. Because claims 31-49 are now clearly directed to Species I, Applicants respectfully request reinstatement of the withdrawn claims for consideration in this application.

On the basis of the above comments, and following remarks, reinstatement of claims 31-49 and allowance of all pending claims are requested.

### **Response to Rejections Under 35 USC 102(b) in View of Perkins et al. and**

#### **Under 35 USC 103(a) in View of Perkins et al. and Ishii et al.**

In the 2<sup>nd</sup> paragraph of the Office action, Examiner rejects claims 50, 51, 60, 61, 66 and 67 under 35 USC § 102(b) as allegedly being anticipated by U.S. Patent No. 6,106,457 to Perkins et al. ("Perkins"). In the 4<sup>th</sup> paragraph of the Office Action, Examiner rejects claims 1-6, 9, 10, 14, 15, 21-30 under 35 USC § 103(a) as allegedly being unpatentable over Perkins et al.

and U.S. Patent No. 6,106,457 in view of Ishii et al. (“Ishii”). These rejections are traversed.

The independent claims, recite, in part, the following:

Claim 1: “a media processing system ... configured to recognize content contained within the time-based media and determine a printed representation of the time-based media based on the recognized content ... the media processing system resides at least in part on the printing system”

Claim 31: “wherein the computing device and the printing device are configured to perform media processing in cooperation to recognize content contained within the time-based media and to produce the printed representation based on the recognized content...wherein the media processing is performed at least partially by the printing system”

Claim 50: “the processing performed at least in part within a printing system ... wherein the processing comprises recognizing content contained within the time-based media and producing the printed representation based on the recognized content”

A distinguishing feature of the claimed invention is media processing that is distributed between the printer and one or more network devices. Further, the claimed media processing is performed on the content of the time-based media; the processing is more than mere decoding, transcoding, or scaling of the media. Therefore, the claims do recite the processing of actual content of the media (beyond mere decoding, transcoding, scaling, etc.) that is performed at least partially by the print system. The processing, as claimed, uses content recognition on the time-based media to produce the printed representation based on the recognized content. This is contrasted with the types of processing that can be performed by a printer in any of the cited references, which are mere decoding, transcoding, scaling, and other types of processing that are independent of the actual content or meaning contained within the media.

In the previous response, Applicants argued that the cited references do not disclose this claimed content recognition processing distributed across a printer and a network device. In the subsequent Office Action, the examiner agreed that the cited references did not disclose higher level processing done by the printing system. Specifically, the examiner acknowledged that “the

printer of Ishii only perform[s] processing such as decoding, transcoding, scaling that are independent of the actual content of the media.” The claimed processing in the present application, which recognizes the content of the time-based media and produces the printed representation based on that recognized content, is not disclosed or performed with the types of processing that would be performed by a printer in Perkins or Ishii — i.e., mere decoding, transcoding, scaling, and other types of processing that are independent of the actual content or meaning contained within the media. Additionally, during a previously conducted interview with the Examiner, the Examiner agreed that this claimed feature of the present application would distinguish the claims from the cited references and therefore, Applicants had amended the claims to claim this distinguishing feature (i.e. to recite that the distributed processing recognizes content within the time-based media and that the printed representation is based on that recognized content).

Based on the above Remarks, Applicants respectfully submit that for at least these reasons claims 1, 30, and 51 are patentably distinguishable over the cited reference. Therefore, Applicants respectfully request that Examiner reconsider the rejection, and withdraw it.

All arguments advanced above with respect to the independent claims 1, 30, and 51 are hereby incorporated so as to apply to their dependent claims as well.

In summary, Examiner has failed to point out any prior art teaching which anticipates or renders obvious the explicit recitation in the language of claims 1-67. Therefore, it is respectfully submitted that the rejection is improper and should be withdrawn.

### Conclusion

In sum, Applicants respectfully submit that claims 1-67, as presented herein, are patentably distinguishable over the cited references (including references cited, but not applied). Therefore, Applicants request reconsideration of the basis for the rejections to these claims and request allowance of them.

In addition, Applicants respectfully invite Examiner to contact Applicants' representative at the number provided below if Examiner believes it will help expedite furtherance of this application.

Respectfully submitted,

PETER E. HART, JONATHAN J. HULL, JAMEY  
GRAHAM, AND KURT PERSOL

Dated: September 17, 2007

By: /Kanda Ishihara/

Kanda Ishihara, Attorney of Record  
Registration No. 56,607  
FENWICK & WEST LLP  
801 California Street  
Mountain View, CA 94041  
Phone: (650) 335-7805  
Fax: (650) 938-5200  
Email: kishihara@fenwick.com